

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

CATUCCI HOME HEATING OIL, INC.

15-22673 (rdd)

Debtor.

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**ORDER (A) APPROVING DISCLOSURE STATEMENT ON A FINAL BASIS AND (B)  
CONFIRMING CHAPTER 11 PLAN OF REORGANIZATION**

CATUCCI HOME HEATING OIL, INC., the debtor and debtor in possession herein (the “Debtor”), having sought (a) final approval of its Third Amended Disclosure Statement and (b) confirmation of its Third Amended Plan of Reorganization, dated May 3, 2016, a copy of which is attached as Exhibit A hereto (the “Plan”);<sup>1</sup> and the Debtor having transmitted due and sufficient notice of its request for final approval of its Third Amended Disclosure Statement and confirmation of the Plan and of the hearing thereon to all creditors and interested parties as reflected in the Certificate of Service filed as Dkt. No.50, along with a copy of the Plan and the conditionally approved disclosure statement relating to the Plan, as well as a ballot for all parties in interest entitled to vote to accept or reject the Plan; and there being no objections to final approval of the Third Amended Disclosure Statement or to confirmation of the Plan; and it appearing from the Certification of Ballots, filed as Dkt. No. 55, that the Plan was accepted by at least one impaired class entitled to vote and that no impaired class voted to reject the Plan; and upon the record of the hearing held by the Court on July 19, 2016 on the Debtor’s request for final approval of the Third Amended Disclosure Statement and confirmation of the Plan; and the Court having found and concluded, after due deliberation, that the Third Amended Disclosure Statement contains adequate information as set forth in 11 U.S.C. § 1125 and that the

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<sup>1</sup> Capitalized terms not otherwise defined herein have the meaning ascribed to them in the Plan.

requirements set forth in 11 U.S.C. § 1129(a) for confirmation of the Plan have been satisfied and that the Debtor does not need to satisfy any requirements set forth in 11 U.S.C. § 1129(b); and good and sufficient cause appearing, it is hereby

**ORDERED**, that

1. The Debtor's Third Amended Disclosure Statement, which previously had been conditionally approved by the Court, is approved on a final basis as containing adequate information under 11 U.S.C. § 1125.

2. The Plan is confirmed under 11 U.S.C. § 1129, and all of its provisions are approved and binding to the fullest extent provided in 11 U.S.C. § 1141(a).

3. Pursuant to 11 U.S.C. § 1141(b), all property of the Debtor and its estate is vested in the Reorganized Debtor

4. The Debtor/Reorganized Debtor is authorized and directed to promptly perform its obligations and duties under the Plan without the need for further order or direction.

5. The Debtor is discharged of all debts that arose before the date of this Order, and any debt of a kind specified in 11 U.S.C. § 502(g), (h), or (i), to the fullest extent provided in 11 U.S.C. § 1141(d)

6. Counsel for the Debtor, or the Reorganized Debtor, shall cause a Final Report and a motion for a Final Decree closing this case under 11 U.S.C. § 350(a) and Fed. R. Bankr. P. 3022 to be filed promptly after the substantial consummation of the Plan and, pursuant to Local Bankruptcy Rule 3022-1, shall file a quarterly report, with a copy e-mailed to Chambers, of the

Debtor's progress in completing performance of the Plan, pending such substantial consummation.

7. The Court reserves post-confirmation jurisdiction to the extent set forth in Article XII of the Plan.

Dated: White Plains, New York  
July 26, 2016

/s/Robert D. Drain  
HONORABLE ROBERT D. DRAIN,  
UNITED STATES BANKRUPTCY JUDGE